



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,356	02/27/2002	Masahiro Kageyama	H-1037	9182

7590 03/31/2005
Mattingly, Stanger & Malur, P.C.
Suite 370
1800 Diagonal Road
Alexandria, VA 22314

EXAMINER

JOO, JOSHUA

ART UNIT PAPER NUMBER

2154

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,356

Applicant(s)

KAGEYAMA ET AL.

Examiner

Joshua Joo

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/27/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2154

1. Claims 1-11 are presented for examination.
2. Claims 1-11 are rejected.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted 02/27/2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 8, the line "the server equipment sets the first terminal device joined the group appointed by the selected group information" is unclear. Does applicant mean "the server equipment sets the first terminal device *to join* the group appointed..."?

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens et al, US Patent #6,745,178 and in view of McGee, III et al, US Publication #2002/0104088 (McGee hereinafter).

7. As per claim 1, Emens teaches an invention for matching users having common interest based on searches and initiating chat sessions between the users. Emen's invention comprises of:

a) two or more terminal devices for information exchange connected to a computer network obtain content of interest (Col 3, lines 58; Col 7, lines 38-39; Col 8, lines 58-60. User provides search query for exchange information with other users through the Internet.);

b) first and second terminal devices for information exchange send information to identify the content to define a part or all of an object from the content to the other terminal device, respectively, across the computer network (Col 8, lines 62-63; Col 10, lines 39-42. Users exchange information to identify the search query); and

c) based on the information to identify the content, the first and second terminal devices send/receive messages to/from the other terminal device (Col 8, lines 62-63. User chats with other users.).

8. Emens does not specifically teach of content of interest rendered by media or of a target area selected.

9. McGee teaches of using key objects to search the Internet to identify contents of interest, where the key objects may be text from Internet documents, audio segments, or video images (Page 2, Paragraph 0025; Page 3, Paragraph 0039).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Emens and McGee because both inventions deal with using keywords to search and identify contents of interest on the Internet. Emens teaches of using

Art Unit: 2154

keywords to identify contents of interest through exchanging messages with other users. It would also be desirable to search media objects as contents of interest such as web pages or video images as taught by McGee. Doing so would increase the capability and the usefulness of Emen's invention by allowing users to use the resources of the web and of other users to identify video objects such as television programs.

11. As per claim 4, Emens teaches an invention for matching users having common interest based on searches and initiating chat sessions between the users. Emen's invention comprises of:

an information exchange server equipment makes up a group of two or more terminal devices including first terminal device for information exchange and second terminal device for information exchange (Col 6, lines 59-62; Col 8, lines 61-63. Users having common interest are grouped, and a chat session is initiated between the users to exchange information.);

said first terminal device for information exchange obtains content of interest and sends information to identify the content, and a message to said information exchange server equipment across a computer network (Col 3, lines 65-66; Col 7, lines 20-21, lines 50-53, lines 18-19; Col 10, lines 18-19. User provides a search query to the search server. User sends messages.);

said information exchange server equipment sends said information to identify the content, and said message that it received to one or more terminal devices for information exchange belonging to said group and including said second terminal device for information exchange across the computer network (Col 8, lines 57-61; Col 9, lines 20-24; Col 10, lines 18-19. Server sends information identifying content and message to a user of a chat session.); and

Art Unit: 2154

said second terminal device for information exchange receives and records or retrieves content of interest, outputs said information to identify the content that is received and outputs said message that it received (Col 8, lines 56-63. Users exchange information to identify content of interest.).

12. Emens does not specifically teach of content of interest rendered by media or a frame from the content including the object defined by said target area selected

13. McGee teaches of using key objects to search the Internet to identify contents of interest, where the key objects may be text from Internet documents, audio segments, or video images (Page 2, Paragraph 0025; Page 3, Paragraph 0039).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Emens and McGee because both inventions deal with using keywords to search and identify contents of interest on the Internet. Emens teaches of using keywords to identify contents of interest through exchanging messages with other users. It would also be desirable to search media objects as contents of interest such as web pages or video images as taught by McGee. Doing so would increase the capability and the usefulness of Emen's invention by allowing users to use the resources of the web and of other users to identify video objects such as television programs.

15. As per claim 9, Emens teaches an invention for matching users having common interest based on searches and initiating chat sessions between the users. Emen's invention comprises of:

Art Unit: 2154

Means by inputting and displaying content of interest; means for obtaining information to identify the content; means for inputting messages; and means for transmitting and receiving said information to identify the content, and messages over a computer network (Col 3, lines 58-66; Col 7, lines 20-21; Col 8, lines 61-63; Col 10, lines 40-42. User, using a computer, enters a query string to a search server on the Internet. User obtains information to identify content of interest from exchanging messages in a chat session.).

16. Emens does not specifically of teach of content of interest rendered by media or obtaining a target area selected to define a part or all of an object from the content.

17. McGee teaches of using key objects to search the Internet to identify contents of interest, where the key objects may be text from Internet documents or obtaining audio segments or video images (Page 2, Paragraph 0025; Page 3, Paragraph 0039).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Emens and McGee because both inventions deal with using keywords to search and identify contents of interest on the Internet. Emens teaches of using keywords to identify contents of interest through exchanging messages with other users. It would also be desirable to search media objects as contents of interest such as web pages or video images as taught by McGee. Doing so would increase the capability and the usefulness of Emen's invention by allowing users to use the resources of the web and of other users to identify video objects such as television programs.

19. As per claim 2, Emens teaches an information exchange method as recited in claim 1 wherein:

said first terminal device for information exchange receives or retrieves content of interest and sends first information to identify the content from the content to an information exchange server equipment across the computer network (Col 7, lines 7-40. User sends query to identify information to the search server.);

said second terminal device for information exchange receives or retrieves content of interest rendered by media and sends second information to identify the content from the content to the information exchange server equipment across the computer network (Col 7, lines 7-40. User sends query to identify information to the search engine.);

the information exchange server equipment makes up a group of said first and second terminal devices for information exchange, according to a grouping method using said first and second information to identify the content that it received (Col 7, lines 34-40, 50-53; Col 8, lines 9-12, 61-63. Server compares the search queries of the users and groups users to chat sessions based on the similarity of the queries.);

the first terminal device for information exchange sends a first message to said information exchange server equipment across the computer network (Col 7, lines 50-55; Col 8, lines 38-41. Web browser is used to initiate chat session with other users.);

said information exchange server equipment sends said first message that it received to one or more terminal devices for information exchange belonging to said group and including said second terminal device for information exchange across the computer network (Col 7, lines 50-55; Col 8, lines 38-41; Col 8, lines 61-63. Web browser is used to initiate chat session with other users and exchange information.); and

said second terminal device for information exchange receives and outputs said message (Col 7, lines 50-55; Col 8, lines 38-41, 61-63. Web browser is used to initiate chat session with other users and exchange information.).

20. As per claim 3, Emens teaches an information exchange method as recited in claim 2 wherein said grouping method comprises one of or a combination of a plurality of the following:

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding said information to identify the content received therefrom (Col 7, lines 39-40. Col 8, lines 26-28. Search queries are compared and based on similarity; users are grouped to the same chatting session.);

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding said information to identify the content, received therefrom (Col 8, lines 15-21, 61-63; Col 10, lines 39-42 Matching may be based on a measure of similarity, and matched users may identify content of interest.);

grouping terminal devices for information exchange by limiting the number of terminal devices to form a group to a given number (Col 9, lines 50-51; Col 10, lines 19-20. Users request to join chat sessions or are invited to a chat session.);

grouping terminal devices for information exchange for which matching occurs in one of or a plurality of items of information designating appointed identifiers of terminal devices for information exchange, geographical area, interests, content titles, and community respectively (Col 7, lines 7-16, 39-40. A user Id, associated with the user's IP address, is accepted from the user. Matching is based on search query, such as similar interests.).

21. As per claim 5, Emens teaches an information exchange method as recited in claim 4, wherein said information exchange server equipment makes up a group of terminals devices for information exchange having a group identifier registered beforehand (Col 8, lines 31-38. User may join an existing chat groups, which are based on interest.).

22. As per claim 6, Emens teaches an information exchange method as recited in claim 4 wherein said information exchange server equipment makes up a group of terminal devices for information exchange in such a way in which:

said server equipment makes a list of one or more groups that have been made up and related information (which will be referred as group information hereinafter) and sends the group list to the first terminal device for information exchange across the computer network (Col 8, lines 32-33. User receives a list of chat groups to join.);

said first terminal device for information exchange receives and outputs the group list, selects the group information for one group from the group list, and sends the selected group information to the server equipment across the computer network (Col 8, lines 31-37. User selects a group to join through the web browser.); and

the server equipment sets the first terminal device to join the group appointed by the selected group information (Col 8, lines 38-39. User is placed in the selected chat room.).

23. As per claim 7, Emens teaches an information exchange method as recited in claim 6 wherein said group information includes said information to identify the content (Fig. 6B; Col 8, lines 31-33; 62-63. Group information provides information to identify the content.).

24. As per claim 8, Emens teaches an information exchange method as recited in claim 4 wherein said message comprises one of or a combination of a plurality of following items: character strings of text and keywords, audio information, video information, advertising information, time information, thumbnail images, and pointed information (Col 8, lines 42-50. Messages are of character strings of text.).

25. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Emens, US Patent #6,745,178 and McGee, US Publication #2002/0104088, and in view of Wang et al, US Patent #6,058,428 (Wang hereinafter).

26. As per claim 10, Emens and McGee do not teach a terminal device for information exchange as recited in claim 9 further comprising means for storing said content of interest; and means for generating and displaying a thumbnail image from said information to identify the content, said target area selected, and said content of interest stored.

27. Wang teaches an invention for transferring images on a network where a thumbnail of the image is generated and the image is stored on a file storage device (Col 5, lines 1-10).

28. It would have been obvious to one of ordinary skill in the art at the time the invention made to combine teachings of Emens, McGee, and Wang because McGee teaches of transferring images over the network. It would have been desirable to generate a thumbnail of the image to transfer over the network and to store the image because using a thumbnail of the image will decrease the size of image file, which would have allowed for lower bandwidth and faster transfer of the image.

29. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Emens, US Patent #6,745,178 and McGee, US Publication #2002/0104088, and in view of Yoneda, US Patent #6,002,832.

30. As per claim 11, Emens and McGee teach of obtaining a video image or video segments as the content of interest (Page 3, Paragraph 0039).

31. Emens and McGee do not teach of a terminal device for information exchange as recited in claim 9 further comprising time shifting means for recording and reproducing said contents of interest.

32. Yoneda teaches an invention for recording and reproducing data, where time shifting is used to record and reproduce videos (Col 7, lines 29-36; Col 8, lines 10-24).

33. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Emens, McGee, and Yoneda because McGee teaches of obtaining video images or segments to be identified. The teachings of Yoneda to use time shifting to record and reproduce videos improves the inventions of Emens and McGee by allowing users to reproduce videos as contents of interest without stopping the recording the process, and it also allows users to reproduce videos at the moment it was stopped without waiting for the completion of the recording.

Conclusion

34. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966 and fax number is 571 273-3966. The examiner can normally be reached on Monday to Thursday 8 to 5:30.

Art Unit: 2154

36. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571 272-3964.

37. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 22, 2005

JJ


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100